THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.21810 of 1995

Date:14.11.2006

Between:

K.Mohan Rao

PETITIONER

AND

The Managing Director,
A.P. State Meat & Poultry Development
Corporation Ltd. and others.

---------RESPONDENTS

ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the first respondent-Corporation in removing the petitioner from service vide proceedings No.1470/E-2/93, dated 05.06.1995, as illegal and arbitrary.

It is the case of the petitioner that he was working as U.D.C. in the first respondent-Corporation. He along with one C.Vittal, L.D.C., were placed under suspension, pending enquiry into certain allegations made against them. After conducting a detailed enquiry, it was found that both of them were responsible for committing misappropriation of certain amounts. Therefore, they were dismissed from service. However, during pendency of the writ petition, the case of the said Vittal was taken up by the authorities and he was reinstated into service on 05.12.1996, after remitting the entire amount of misappropriation.

The learned counsel for the petitioner states that such a benefit was not extended to the petitioner. If an offer is made to the petitioner for paying the entire amount, he is ready to deposit the same at once. In fact, he filed an application for the very same purpose on 06.02.1997. But, the same was not considered and when the petitioner approached the respondents stating that he is ready to deposit the amount, that was not accepted.

In view of the above, without expression any opinion on merits, the respondents are directed to consider the application filed by the petitioner on 06.02.1997 and extend the same benefit as was extended to C.Vittal, L.D.C and pass appropriate orders as per law, within a period of four weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. There shall be no order as to costs.

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14.11.2006

Note: Issue C.C. in one week.
(B/o)
kdl